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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,172	08/01/2003	Wilhelm Hagg	282464US8X	4591
22850	7590	05/14/2009		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
PATEL, NIMESH G				
ART UNIT		PAPER NUMBER		
2111				
NOTIFICATION DATE		DELIVERY MODE		
05/14/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/633,172

Applicant(s)

HAGG ET AL.

Examiner

NIMESH G. PATEL

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-11 and 13-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-11 and 13-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 7-9, 11 and 13-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Peter M Corcoran ("Mapping Home-Network Appliances to TCP/IP Sockets Using a Three-Tiered Home Gateway Architecture," cited by Applicant).
3. Regarding claim 7, Corcoran discloses an intelligent gateway (Figure 5, Interface Gateway) for communicating between gateway devices (Figure 5, Siod; Page 734, Section 4.2.1, Lines 1-4; Page 732, Section 3, Lines 3-6) via a common network layer (Figure 5, Wide Area Network), wherein each gateway device is connected to a respective bus system (Figure 5; Page 733, Section 3.3, First Paragraph), that includes a physical device (Figure 5, HAS Devices; Page 733, Section 3.3, First Paragraph), comprising: a device presenter and a device emulator for one physical device of the gateway devices, wherein the device emulator is configured to emulate a corresponding physical device, the corresponding physical device being associated with one bus system, for communication with physical devices of other bus systems (Page 732, RHC, Paragraphs 4-5; Page 733, Section 3.3; Page 734; Section 4.2.1, First Paragraph), and an isochronous stream handler adapted to be controlled by said device presenter or said device emulator (Page 733, Section 3.3, Page 734, Section 4.2.1 audio and video streams).
4. Regarding claim 8, Corcoran discloses the intelligent gateway according to claim 7, further comprising: a device manager configured to monitor bus events for new devices, the new devices being posted on said common network layer (300), and to find, load and assign

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corresponding device presenters and/or emulators(Page 732, RHC, Paragraph 4; Page 734, Section 4.2.1).

5. Regarding claim 9, Corcoran discloses the intelligent gateway according to claim 8, wherein said device manager is configured to load device presenters and/or emulators from external sources(Page 734, Section 4.2.4, First Paragraph).

6. Regarding claim 11, Corcoran discloses the intelligent gateway according to claim 7, wherein each device emulator is configured to emulate a device on a bus system based on a generic abstract device or service presentation(Page 734, Section 4.2.4, First Paragraph).

7. Regarding claim 13, Corcoran discloses a transparent access network that integrates at least two bus systems, and that comprises an intelligent gateway device(Figure 5, Interface Gateway) according to claim 7(Page 733, Section 3.3).

8. Regarding claim 14, Corcoran discloses using a IP based connections between the intelligent gateway and the dumb gateways(Figure 5)

9. Regarding claim 15, Corcoran discloses a system comprising: a first device(Figure 5, HAS Device) connected to a first gateway via a first bus system; a second device connected to a second gateway via a second bus system(Page 732, Section 3.3); an intelligent gateway(Figure 5, Interface Gateway) connected to said first and second gateways, comprising a first device emulator adapted to emulate said first device on said second bus system, and a second device emulator adapted to emulate said second device on said first bus system; and an isochronous stream handler, which is controlled by said first device emulator or said second device emulator(Page 733, Section 3.3, Page 734, Section 4.2.1 audio and video streams).

10. Regarding claim 16, Corcoran discloses a system according to claim 15, wherein said first and second bus systems are IP based(Page 733, Section 3.3)

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Corcoran and what is well known in the art, as evidenced by Cheng(US 2002/0083143).

13. Regarding claim 10, Corcoran discloses the intelligent gateway according to claim 7, wherein each device presenter is configured to present a respective physical device on a bus system(Page 734, Section 4.2.4, First Paragraph) but does not specifically disclose a presentation according to the Universal Plug and Play protocol set. However, official notice is being taken that Universal Plug and Play protocol set is well known in the art. As evidence, Cheng discloses A UPnP protocol set(Figure 1). It would have been obvious to one of ordinary skill in the art to communicate via said common network layer according to the Universal Plug and Play protocol set since this would allow the advantage of a network conforming to the UPnP standard and connect one or more types of communication media by using internet protocol.

Response to Arguments

14. Applicant's arguments, filed February 26, 2009 have been fully considered but they are not persuasive.

15. In response to Applicant's arguments that the newly added limitation "a device presenter and a device emulator for one physical device of the gateway devices, wherein the device emulator is configured to emulate a corresponding physical device, the corresponding physical device being associated with one bus system, for communication with physical devices of other

bus systems to be controlled by said device presenter or said device emulator" is not disclosed by Corcoran, Examiner respectfully disagrees. Corcoran discloses a device presenter and a device emulator for one physical device of the gateway devices, wherein the device emulator is configured to emulate a corresponding physical device, the corresponding physical device being associated with one bus system, for communication with physical devices of other bus systems(Page 732, RHC, Paragraphs 4-5; Page 733, Section 3.3; Page 734; Section 4.2.1, First Paragraph; Each bus system has hardware, i.e. gateway device, that communicates with the intelligent gateway, the intelligent gateway emulating the physical devices of the bus systems).

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NIMESH G. PATEL whose telephone number is (571)272-3640. The examiner can normally be reached on M-F, 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinehart H. Mark can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nimesh G Patel/
Examiner, Art Unit 2111

/Glenn A. Auve/
Primary Examiner, Art Unit 2111